

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YASSER ALSAFADI and AMR F. YASSIN

Appeal 2007-0222
Application 09/726,797
Technology Center 2100

Decided: March 22, 2007

Before JAMES D. THOMAS, MAHSHID D. SAADAT,
and JEAN R. HOMERE, Administrative Patent Judges.

THOMAS, Administrative Patent Judge.

DECISION ON APPEAL

Pursuant to 35 U.S.C. § 134, Appellants have appealed to the Board from the Examiner's final rejection of claims 1 through 18.

As representative of the disclosed and claimed invention, independent claim 1 is reproduced below:

1. A method for conditioning content for presentation at a processing device, the method comprising the steps of:

determining a content profile associated with the device, the content profile including at least one operation and parameter for conditioning data on the device;

generating a conditioned document by applying the content profile to a requested document containing content for presentation at the device;

determining a stylesheet associated with the device; and

applying the stylesheet to the conditioned document to generate an output suitable for presentation at the device.

The following references are relied on by the Examiner:

Robotham	US 6,704,024 B2	Mar. 9, 2004
	(eff. filed dates Aug. 7, 2000 and Oct. 30, 2000)	
Jamtgaard	US 6,430,624 B1	Aug. 6, 2002
		(filed Feb. 14, 2000)

All claims on appeal, claims 1 through 18, stand rejected under 35 U.S.C. § 103. As evidence of obviousness, the Examiner relies upon the combination of Jamtgaard and Robotham.

Rather than repeat the positions of the Appellants and the Examiner, reference is made to the Brief (no Reply Brief has been filed) for Appellants' positions, and to the Answer for the Examiner's positions.

OPINION

Generally, for the reasons set forth by the Examiner in the Answer, we sustain the rejection of all claims on appeal as further embellished by the following additional comments. Appellants present arguments only as to independent claims 1, 17, and 18 collectively, and among each of these independent claims, emphasize the same feature of each of them:

determining a content profile associated with the device, the content profile including at least one operation and parameter for conditioning data on the device.

Appellants' admitted prior art Figure 1 and the associated text in the background of the invention essentially is prior art to substantially all limitations of representative independent claim 1 on appeal except for the quoted material just cited. Of particular note as well, the bottom of page 2 of the Specification as filed indicates that the subject matter illustrated in prior art Figure 1 is found in a prior U.S. patent.

The responsive argument's portion of the Answer beginning at page 11 in part makes note of the fact that certain of Appellants' arguments made at pages 5 through 8 of the Brief are not coextensive with the subject matter actually recited in representative independent claim 1 on appeal. As noted at the bottom of page 14 of the Answer, for example, "only one" device is not recited in this claim in contrast to the argument made at the bottom of page 5 of the Brief. The assertion at page 6 of the Brief that: "Robotham does not teach or suggest conditioning content based on a specific operation of a particular device" and the additional urging that "Robotham is silent about

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determining a content profile including at least one operation and parameter associated with a given device” are not recited in independent claim 1 on appeal as well.

From our view of Jamtgaard, it appears to us that this reference is sufficient in and of itself to teach or suggest to the artisan within 35 U.S.C. § 103 the subject matter representative of independent claim 1 on appeal. Even the Abstract of this invention as well as at least the brief showings in Figures 1 through 4 convince us that the reformatting of information that is acknowledged to occur in this reference is sufficient in and of itself to indicate to the artisan that so-called “conditioning” of data of a given device as claimed is taught. In contrast to the allegedly new concept of the disclosed invention of the content conditioning operations of element 32 in Figure 3, there is no requirement set forth in representative independent claim 1 on appeal that such an alteration or modification (top of page 7 of the Brief) is recited. Moreover, even Figure 10 of Jamtgaard further illustrates the layout engine 42 of Figure 4 where content cutter 72 teaches at the middle of column 13 of this reference content alterations or modifications to the extent claimed.

With respect to Robotham, the Examiner relies upon this reference only for the teaching value of the existence of operations and associated parameters to embellish upon what the Examiner appears to believe is not taught in Jamtgaard. This is merely an additional, cumulative teaching in Robotham, since the artisan would have well appreciated that the approach of reformatting content in Jamtgaard necessarily would have required operations and associated parameters that need to be reformatted to tailor a given information content to a particular series of different types of

information appliances 15 in this reference. Even as set forth initially in the Abstract of Robotham, the closing paragraphs, such as beginning at the middle of column 70 of Robotham, teach that content is rendered, transformed or otherwise transcoded even to the point of increasing the amount of information available in a transcoded representation and increasing the total size and complexity of the transcoded representation. Clearly, the artisan would have well appreciated such operations as alterations or modifications of content to the extent recited in representative independent claim 1 on appeal. Even though Robotham is clearly cumulative to the teaching value of Jamtgaard, Appellants' arguments in the Brief do not contest the proper combinability of both references within 35 U.S.C. § 103.

As an aside, the server 22 in Figure 7 of Robotham teaches clipping, filtering, scaling, and conversion operations of pixels which clearly relate to content conversions or conditioning to the extent claimed. The same may be said of the encoding and image compression capabilities of the server 22 in Figure 9.

The position at page 7 of the Brief relating to the same data may be displayed on a PC having the entire data displayed on a single page and a PDA having the same data displayed on multiple pages of Robotham is misplaced. The claim does not exclude the same data being displayed on different devices in different manners. The claim does not require that the data content itself from a source document be altered or otherwise modified even though it is claimed to be only broadly "conditioned." Conditioning clearly includes reformatting operations in both applied references. Moreover, we strongly believe that the artisan would have well interpreted

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this notion of altering or modification as taught by the reformatting information content teachings of both references, notwithstanding the additional teachings we have outlined earlier that appear to actually teach alternatively modifying the information in addition to reformatting it.

In view of the foregoing, the decision of the Examiner rejecting claims 1 through 18 on appeal within 35 U.S.C. § 103 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

AFFIRMED

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